

Local Form 6

**UNITED STATES BANKRUPTCY COURT
Western District of North Carolina**

**Instructions for Filing an
*Application for Waiver of the Chapter 7 Filing Fee for Individuals Who
Cannot Pay the Filing Fee in Full or in Installments***

The fee for filing a case under chapter 7 of the Bankruptcy Code is \$299.

If you cannot afford to pay the fee either in full at the time of filing or in installments, then you may request a waiver of the filing fee by completing this application (NCWD Local Form 6) and filing it with the Clerk of Court.

A judge will decide whether you have to pay the fee. By law, the judge may waive the fee **only if** your income is less than 150 percent of the official poverty line applicable to your family size and you are unable to pay the fee in installments. **The poverty guidelines for 2008 are attached.** You may obtain additional information about the poverty guidelines at the United States Department of Health and Human Services website at <http://aspe.hhs.gov/poverty>.

Required information. All items in the application and attached requested schedules must be answered in order for a proper determination to be made regarding allowance of your waiver of fee. If the question does not apply; write in not applicable or **n/a**. If the amount is zero or none use: **zero, -0-, none**. Sign the application on the last page. If you and your spouse are filing a joint bankruptcy petition, each of you must provide information as requested and sign the application. Your failure to timely comply with these requirements may result in the application being **denied**.

If your application is denied, an order will be entered directing the payment of the filing fee in installments.

2008 HHS Poverty Guidelines

Persons in Family or Household	48 Contiguous States and D.C.	Alaska	Hawaii	150%
1	\$10,400	\$13,000	\$11,960	15,600
2	14,000	17,500	16,100	21,000
3	17,600	22,000	20,240	26,400
4	21,200	26,500	24,380	31,800
5	24,800	31,000	28,520	37,200
6	28,400	35,500	32,660	42,600
7	32,000	40,000	36,800	48,000
8	35,600	44,500	40,940	53,400
For each additional person, add	3,600	4,500	4,140	5,400

SOURCE: *Federal Register*, January 23, 2008

January 2008

**UNITED STATES BANKRUPTCY COURT
Western District of North Carolina**

In re:

Chapter 7

Debtor(s). Case No. _____

**Application for Waiver of the Chapter 7 Filing Fee for Individuals Who Cannot Pay
the Filing Fee in Full or in Installments**

Part A. Family Size and Income

1. Including yourself, your spouse, and dependents you have listed or will list on **Schedule I, Current Income of Individual Debtors**, how many people are in your family? (Do not include your spouse if you are separated AND are not filing a joint petition.)

Number of people in family: _____

2. Restate the following information that you provided, or will provide, on **Line 16 of Schedule I, Current Income of Individual Debtor**. Attach a completed copy of Schedule I, if it is available.

Total Combined Monthly Income (line 16 of Schedule I): \$ _____

3. State the monthly net income, if any, of dependents included in Question 1 above. Do not include income already reported in Question 2. If none, enter \$0.

Monthly net income of dependants: \$ _____

4. Add the "Total Combined Monthly Income" reported in Question 2 to your dependents' monthly net income from Question 3.

Total of amounts in question 2 and question 3: \$ _____

5. Do you expect the amount in Question 4 to increase or decrease by more than 10% during the next 6 months?

Yes ____ No ____ If yes, explain: _____

Part B. Monthly Expenses

6. EITHER (a) attach a completed copy of Schedule J (Schedule of Monthly Expenses), and state your total monthly expenses reported on Line 18 of that Schedule, OR (b) if you have not yet completed Schedule J, provide an estimate of your total monthly expenses.

Total monthly expenses from Schedule J or estimate: \$ _____

7. Do you expect the amount in Question 6 to increase or decrease by more than 10% during the next 6 months?

Yes _____ No _____ If yes, explain: _____

Part C. Real and Personal Property

Either (1) attach completed copies of Schedule A (Real Property) and Schedule B (Personal Property), OR (2) if you have not yet completed those schedules, answer the following questions.

8. State the amount of cash you have on hand: \$ _____
9. State below any money you have in savings, checking, or other accounts in a bank or other financial institution.

Name of Financial Institution	Type of Account	Amount
_____	_____	\$ _____
		\$ _____

10. State below the assets owned by you. **Do not list ordinary furnishings and clothing.**

Home Address:

Value: \$

Amount owed on mortgages and liens: \$

Other real estate address:

Value: \$

Amount owed on mortgages and liens: \$

Motor Vehicle Model/year: _____ Value: \$ _____

Amount Owed: \$

Motor Vehicle Model/year: Value: \$

Amount Owed: \$

Other (Describe): _____ Value: \$ _____
_____ Amount Owed: \$ _____

11. State below any person, business, organization, or governmental unit that owes you money and the amount that is owed.

Name of Person, Business, or Organization that Owes You Money	Amount Owed:
_____	\$ _____
_____	\$ _____

Part D. Additional Information

12. Have you paid an attorney any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules?

Yes _____ No _____ If yes, how much have you paid? \$ _____

13. Have you promised to pay or do you anticipate paying an attorney in connections with your bankruptcy case?

Yes _____ No _____

If yes, how much have you promised to pay or do you anticipate paying?
\$ _____

14. Have you paid **anyone other than an attorney** (such as bankruptcy petition preparer, paralegal, typing service, or other person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules?

Yes _____ No _____ If yes, how much have you paid? \$ _____

15. Have you promised to pay **anyone other than an attorney** (such as bankruptcy petition preparer, paralegal, typing service, or other person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules?

Yes _____ No _____

If yes, how much have you promised to pay or do you anticipate paying?
\$ _____

16. Has anyone paid an attorney or other person or service in connection with this case, on your behalf?

Yes _____ No _____

If yes, explain: _____

17. Have you previously filed for bankruptcy relief during the past eight years?

Yes _____ No _____

Case Number (If known)	Year filed	Location of filing	Did you obtain a discharge? (if known)
_____	_____	_____	Yes____ No _____ Don't know _____
_____	_____	_____	Yes____ No _____ Don't know _____

18. Please provide any other information that helps to explain why you are unable to pay the filing fee in full or in installments.

19. I (we) declare under penalty of perjury that I (we) cannot currently afford to pay the filing fee in full or in installments and that the foregoing information is true and correct.

Executed on: _____	_____
Date	Signature of Debtor
_____	_____
Date	Signature of Debtor

Declaration and Signature of Bankruptcy Petition Preparer (See 11 U.S.C. §110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. §110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. §110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required under that section.

Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

Social Security No. (Required by 11 U.S.C. §110).

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.

Address

x _____	_____
Signature of Bankruptcy Petition Preparer	Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; U.S.C. § 156